

**REDEVELOPMENT AGENCY MEETING
AUGUST 10, 2004**

The meeting called to order as the City Council at 10:10 a.m. by Mayor Murphy.

Mayor Murphy announced that the passing of Council Member Charles Lewis weighed heavily on the hearts of the City and the Council, and he would be taking things a little bit out of order today. Mayor Murphy stated that it was with great sadness that he would ask the Council to adjourn today's meeting in honor of their friend, his friend, and their colleague. Charles Lewis the III, Council Member of the City's 4th Council District who passed away on Sunday, August 8, 2004, at the young age of 37. Council Member Lewis was a San Diego success story graduating from Morris High School, and then receiving his Bachelor's Degree from San Diego State. He began his career as an Intern in the office of Congressman Jim Bates, and in 1991 he began working with Council Member George Stevens as a Field Coordinator, eventually becoming a Special Assistant, and then Chief of Staff in 1997. Council Member Lewis had many accomplishments while working for Council Member Stevens. He worked on the housing concerns, public safety issues, the Malcolm X Library and Performing Arts Center, the Chollas View Housing project. The people of his District loved him, and then elected him as their Council Member in 2002. After he was elected his accomplishments continued that benefited the City of San Diego, the residents and the businesses of the 4th district. Mayor Murphy mentioned a few of Council Member Lewis accomplishments, and that they had worked together in creating the Graffiti Strike Force that increased Graffiti arrests in the 4th District and across the City. Council Member Lewis brought the City the "Safe Route to School" grants for traffic safety at Horton Elementary, and helped raise the money that will be the Skyline Hills Library. He brought the City, the Coastal Conservancy Grant to improve water quality in Chollas Creek, secured funding for a new Skateboard Park in his district, and the Senior Center in Martin Luther King Park. He served as the Chair of the City/County Reinvestment Task Force, and opened the new Mountain view Recreation Center. Mayor Murphy announced that Council Member Lewis accomplishments were for the people of the San Diego, and were done out of dedication to the public, not out of any effort for personal aggrandizement. Council Member Lewis worked for District 4 and the City, and he earned the love, respect, and administration of the people he represented, as well as his colleagues. He felt a service to the public was a calling from God, and it was his utilization of the gifts he had to serve God faithfully. Mayor Murphy and each Council Member stated that Council Member Lewis would be greatly missed, and that they wished to extend their deepest and most heartfelt sympathies to his family.

REDEVELOPMENT AGENCY MEETING MINUTES – AUGUST 10, 2004

Roll Call Peters, Zucchet, Atkins, District 4 Vacant, Maienschein,
Fyre, Madaffer, Inzunza, and Mayor Murphy

P. Lamont Ewell, City Manager
Casey Gwinn, City Attorney
Leslie Girard, City Attorney
Charles Abdelnour, City Clerk
Joyce Lane, City Clerk
Elizabeth Maland, City Clerk

The meeting adjourned as the City Council at 10:57 a.m. for the purpose of a break.

The meeting reconvened as the City Council at 11:09 a.m. with all Council Members present and District 4 vacant.

The meeting adjourned as the City Council at 11:24 a.m.

The meeting reconvened as the Redevelopment Agency at 11:24 a.m.

These items were scheduled to be heard on Monday, August 9, 2004, Special Redevelopment Agency meeting> The meeting was cancelled and moved to Tuesday, August 10, 2004.

1. **Approval of Minutes of:**

June 15, 2004, special and supplemental
June 22, 2004
June 29, 2004, special and supplemental

Motion by Member Atkins to approve (with District 4 vacant)
Second by Member Madaffer
Vote: 8-0

REDEVELOPMENT AGENCY MEETING MINUTES – AUGUST 10, 2004

Adoption

7. College Community Redevelopment Project Area, Proposed The Paseo Mixed-Use Project. (District 7).

(Continued from March 9, 2004 and March 30, 2004 and April 19, 2004 meetings)

(RA 2004-99)

Subitem A. That the Redevelopment Agency enter into a Second Exclusive Negotiating Agreement with the San Diego State University Foundation (SDSUF) for the proposed The Paseo Project and accept a developer deposit of up to \$100,000.

(RA 2004-85)

Subitem B. Amend the Fiscal Year 2004 Agency Budget for College Community and authorizing expenditure of funds for costs related to the ENA.

See Redevelopment Agency report no. RA-04-05, dated March 3, 2004.

Staff: Michael Fortney 533-5403

Atty: Sung Phillips

Auditor Certificate Number: AC 2400836

Member Madaffer continued this item to September 7, 2004, at the request of Mr. Ewell, Executive Director, Redevelopment Agency.

REDEVELOPMENT AGENCY MEETING MINUTES – AUGUST 10, 2004

Adoption

2. **Exclusive Negotiating Agreement (ENA) with Pacwest Enterprises LLC for the development of Mixed-Use Housing on Voltarie Street within the North Bay Redevelopment Project Area. (District 2).**

(RA-2005-16)

Subitem A. Authorizing the Executive Director, or designee, to execute an Exclusive Negotiating Agreement (ENA) with Pacwest, LLC for the development of mixed-use housing on Voltaire Street.

Subitem B. Amend the FY2005 Agency Budget increasing the North Bay Project Area Fund 980710 in Developer proceeds and authorizing expenditure of said funds not to exceed \$16,000.

See Redevelopment Agency Report no. RA-04-19, dated August 4, 2004.

No one spoke in opposition to this item.

Motion by Member Zucchet to approve (with District 4 vacant)

Second by Member Madaffer

Vote: 8-0

Redevelopment Agency Resolution and Document numbers R-03802 and D-03802.

REDEVELOPMENT AGENCY MEETING MINUTES – AUGUST 10, 2004

Adoption

3. **Boundary Selection and Preliminary Plan for the Grantville Redevelopment Project. (District 7)**

(RA-2005-17)

Subitem A. Select the preliminary boundaries of the proposed Grantville Redevelopment Project Area and approve the Preliminary Plan.

Subitem B. Authorize staff to transmit preliminary plan per California Community Redevelopment Law.

See Redevelopment Agency Report no. RA-04-23, dated August 4, 2004.

No one spoke in opposition to this item.

Motion by Member Madaffer to approve (with District 4 vacant)

Second by Member Inzunza

Vote: 8-0

Redevelopment Agency Resolution number R-03803.

4. **Exclusive Negotiating Agreement with San Diego Revitalization Corporation for proposed mixed-use development-City Heights Redevelopment Project. (District 3).**

(RA-2005-21)

Subitem A. Enter into an Exclusive Negotiating Agreement with San Diego Revitalization Corporation for the proposed mixed-use development.

Subitem B. Amend the Fiscal Year 2005 Agency Budget for the City Heights Redevelopment Project Area to accept a Developer Deposit of \$130,000 and authorize the expenditure of the Developer Deposit.

See Redevelopment Agency Report no. RA-04-26, dated August 4, 2004.

No one spoke in opposition to this item.

REDEVELOPMENT AGENCY MEETING MINUTES – AUGUST 10, 2004

Adoption

4. **Exclusive Negotiating Agreement with San Diego Revitalization Corporation for proposed mixed-use development-City Heights Redevelopment Project. (District 3).**

(Continued)

Motion by Member Atkins to approve with direction to staff on the issue of parking (with District 4 vacant)

Second by Member Inzunza

Vote: 8-0

Redevelopment Agency Resolution and Document numbers R-03804 and D-03804.

5. **Exclusive Negotiating Agreement with Boulevard Marketplace, LLC for a proposed mixed-use development-City Heights Redevelopment Project. (District 3).**

(RA-2005-19)

Subitem A. Enter into an Exclusive Negotiating Agreement with Boulevard Marketplace LLC for the proposed mixed-use development.

Subitem B. Amend the Fiscal Year 2005 Agency Budget for the City Heights Redevelopment Project Area to accept a Developer Deposit of \$60,000 and authorize expenditure of the Developer Deposit.

See Redevelopment Agency Report no. RA-04-25, dated August 4, 2004.

No one spoke in opposition to this item.

Motion by Member Atkins to approve (with District 4 vacant)

Second by Member Inzunza

Vote: 8-0

Redevelopment Agency Resolution and Document numbers R-03805 and D-03805.

REDEVELOPMENT AGENCY MEETING MINUTES – AUGUST 10, 2004

Adoption

6. College Community Redevelopment Project Area; Proposed Religious Centers Project-Exclusive Negotiating Agreement. (District 7).

(RA-2005-18)

Subitem A. That the Redevelopment Agency enter into an ENA with SDSUF for the proposed Religious Centers Project and accept a developer deposit of up to an additional \$50,000.

Subitem B. Amend the Fiscal Year 2005 Agency Budget for College Community and authorizing expenditure of up to an additional \$50,000 for costs related to the ENA.

See Redevelopment Agency Report no. RA-04-27, dated August 4, 2004.

No one spoke in opposition to this item.

Motion by Member Madaffer to approve (with District 4 vacant)

Second by Member Inzunza

Vote: 8-0

Redevelopment Agency Resolution and Document numbers R-03806 and D-03806.

REDEVELOPMENT AGENCY MEETING MINUTES – AUGUST 10, 2004

Adoption

8. **North Park Redevelopment-Rite Aid Leasehold Acquisition. (District 3).**

(RA-2005-20)

Subitem A. Authorizing the Executive Director to execute condemnation proceedings with a 90-day order of immediate possession as appropriate to acquire the leasehold business interests in 3943-3959 30th Street, San Diego, as required for the North Park Housing Project.

(RA-2005-23) (Corr. Copy)

Subitem B. Amending the Fiscal Year 2005 Agency Budget to increase appropriations and authorize expenditures in the amount of \$800,000. Authorize the acceptance of \$800,000 in developer funds for the Western Pacific Housing Project (FUND 98313) in the North Park Project Area.

See Redevelopment Agency Report no. RA-04-29, dated August 4, 2004.

No one spoke in opposition to these items.

James Davies, Community Development Coordinator, Redevelopment Agency, stated we received a letter from the Law Offices of Palmieri, Tyler, Wiener, Wilhem and Waldron, dated August 9, 2004, distributed to the Chair and Members of the Redevelopment Agency this morning. Staff will respond to this letter, and will be part of our public record.

Adoption

8. North Park Redevelopment-Rite Aid Leasehold Acquisition. (District 3).

(Continued)

Carol Chiodo, Deputy Director, Real Estate Assets, stated the following will be read into the record.

The Redevelopment Agency has before it a proposed Resolutions of Necessity for the acquisition of leasehold business interest on property located at 3943-3959 30th Street in the City of San Diego in connection with the North Park Housing Project (“proposed Project”). The leasehold business interest sought for the proposed Project are sought for a public use, namely for the construction of a mixed use

development, consisting of 224 unit for sale condominium project with affordable housing; 18,500 square feet of commercial, retail, live-work space; a minimum of 375 parking spaces and related improvements and amenities and all purposes necessary and convenient thereto in connection with the proposed Project pursuant to the authority conferred upon the Redevelopment Agency of the City of San Diego to acquire property by eminent domain by California Government Code sections 37350, 37350.5, 37351, 40401 and 40404 and California Code of Civil Procedure section 1230.010, *et seq.* (Eminent Domain Law), including, but not limited to sections 1240.010, 1240.020, 1240.110, 1240.120, 1240.150, 1240.410, 1240.510, 1240.610, 1240.650, and other provisions of law.

The property interest that is the subject of the Resolution of Necessity is necessary for the proposed Project as it facilitates the assemblage of property interests necessary to complete the proposed project.

A legal description the property interest the Agency seeks to acquire for the proposed Project as well as a map depicting the location of the real property interest the Agency seeks to acquire are attached to the above Resolution of Necessity as Exhibit 1 and Figure 1 respectively and are incorporated in this Report by this reference.

REDEVELOPMENT AGENCY MEETING MINUTES – AUGUST 10, 2004

Adoption

8. **North Park Redevelopment-Rite Aid Leasehold Acquisition. (District 3).**

(Continued)

In order to adopt the Resolution of Necessity with respect to the Subject Property Interests, the Redevelopment Agency must find and determine with respect to the proposed acquisition of the leasehold business interest that:

- A. The public interest and necessity require the proposed Project;
- B. The proposed Project is planned and located in the manner that will be most compatible with the greatest public good and least private injury;
- C. The Subject Property Interest described in the Resolution of Necessity is necessary for the proposed Project; and
- D. The Agency has made an offer as required by Government Code section 7267.2 to the owner of record of the interest it seeks to acquire.

The amount of just compensation is not an issue before the Redevelopment Agency at this hearing. This hearing relates to the four findings only.

The agenda report prepared in anticipation of the hearing as well as the letter dated August 9, 2004 from Palmieri, Tyler, Wiener, and Wilhelm & Waldron LLP representing the Rite Aid Corporation are to be incorporated into the record.

Motion by Member Atkins to approve (with Fyre in opposition and District 4 vacant)

Second by Member Inzunza

Vote: 7-1

Redevelopment Agency Resolution numbers R-03807 and R-03808.

REDEVELOPMENT AGENCY MEETING MINUTES – AUGUST 10, 2004

Adjournment

The meeting adjourned as the Redevelopment Agency at 11:35 a.m.

Charles G. Abdelnour, Secretary Redevelopment Agency
of the City of San Diego, California
(jis)